

REMARKS

Summary

The independent claims have been amended to recite at least one feature not understood to be disclosed or suggested by the patents to Moreton, et al. and Sasaki. Therefore, the application is now understood to be in allowable form.

Status of the Claims

Claims 1 through 7 and 25 through 31 are pending, with Claims 1 and 25 being independent. Independent Claims 1 and 25 have been amended to overcome a substantive rejection.

Requested Action

Applicants respectfully request the Examiner to reconsider and withdraw the outstanding rejection in view of the foregoing amendments and the following remarks.

Applicants also respectfully request that this Amendment be entered. This Amendment could not have been presented earlier as it was earnestly believed that the claims on file would be found allowable. Given the Examiner's familiarity with the application, Applicants believe that a full understanding and consideration of this Amendment would not require undue time or effort by the Examiner. Moreover, for the reasons discussed below, Applicants submit that this Amendment places the application in condition for allowance. At the very least, it is believed to place the application in better form for appeal. Accordingly, entry of this Amendment is believed to be appropriate and such entry is respectfully requested.

Rejection

Claims 1 through 7 and 25 through 31 are rejected under 35 U.S.C. § 103 over U.S. Patent No. 5,835,133 (Moreton, et al.) in view of U.S. Patent No. 5,408,265 (Sasaki).

In response, while not conceding the propriety of the rejection, independent Claims 1 and 25 have been amended. Applicants submit that as amended, these claims are allowable for the following reasons.

Independent Claim 1 relates to a camera comprising a plurality of image pickup means for picking up a plurality of images of an object, respectively, display means for displaying images picked up by the plurality of image pickup means, recording means for recording the images picked up by the plurality of image pickup means on a recording medium, and memory means arranged both as a buffer of the display means and as a buffer of the recording means.

Claim 1 has been amended to recite that the memory means is arranged both as a buffer of the display means and as a buffer of the recording means so that the display means displays an image previously read out from the memory means when the recording means records the images on the recording medium. This feature is supported at least by page 16, line 16 through page 17, line 9 of the specification.

By this arrangement, the camera can control the use of the memory means as both a buffer of the display means and as a buffer of the recording means in accordance with an operation mode of the camera.

In contrast, the patents to Moreton, et al. and Sasaki are not understood to disclose or suggest memory means arranged both as a buffer of the display means and as a buffer of the recording means so that the display means displays an image previously read out from

the memory means when the recording means records the images on the recording medium, as recited by amended Claim 1.

The Office Action identifies the claimed memory means as double buffer memory 720 shown in Figure 8C of the patent to Moreton et al. and further cites column 12, lines 21-67 to disclose the use of this memory as a buffer for both display means and recording means. But this portion of the specification of the patent to Moreton et al. is understood to relate to a stereo playback system. As a result, this portion of the Moreton et al. patent is not understood to disclose or suggest display means for displaying an image previously read out from the memory means when the recording means records images on the recording medium, as recited by amended Claim 1. Moreover, the other portions of the Moreton et al. patent cited by in the Office Action in connection with the claimed memory means (column 3, line 14, column 6, lines 59-62, and column 11, lines 31-49) are also not understood to disclose or suggest display means for displaying an image previously read out from the memory means when the recording means records images on the recording medium, as recited by amended Claim 1.

The Office Action also cites image recording unit 78 and memory circuits 88-90 of Figure 11 of the Sasaki patent. But Figure 11 of the Sasaki patent is understood to merely show that image signals from a CCD 74 are processed by a processing unit 77 that outputs TV signals conformable to a standard TV system to either a monitor 35 or the image recording unit 78, as discussed at column 15, lines 22-33 and column 16, line 58 through column 17, line 4 of this patent. As a result, the cited portion of the Sasaki patent is not understood to disclose or suggest display means for displaying an image previously

read out from the memory means when the recording means records images on the recording medium, as recited by amended Claim 1.

Thus, these patents are not understood to disclose or suggest at least one feature of amended Claim 1. And since MPEP § 2142 requires the cited art to disclose or suggest all the claimed features to establish a prima facie case of obviousness, the Patent Office is not understood to have yet established a prima facie case of obviousness against amended Claim 1 over this art. Accordingly, Applicants respectfully request that the rejection of amended Claim 1 be withdrawn.

MPEP § 2142 also requires that there “be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings”. But, neither the Moreton et al. patent, nor the Sasaki patent is understood to disclose or suggest that the Moreton et al. patent be modified to add the image recording unit 78 from the Sasaki patent and to reconfigure the internal circuitry thereof so that the display 330 displays an image previously read out from the double buffer memory 720 when the newly added recording unit 78 records images on the recording medium, as recited by amended Claim 1. Thus, the Office Action is not understood to have yet established the factual basis for the motivation to modify the Moreton et al. patent to produce the invention of amended Claim 1. For this additional reason, the Patent Office is not understood to have established a prima facie case of obviousness against amended Claim 1 over this art. Accordingly, Applicants respectfully request that the rejection of amended Claim 1 be withdrawn for this additional reason.

MPEP § 2142 further requires that there be a reasonable expectation of success when modifying the art to produce the claimed invention. But, the Office has not yet provided any evidence as to how the playback system described in the Moreton et al. patent could be successfully modified to provide display means for displaying an image previously read out from the memory means when the recording means records images on the recording medium, as recited by amended Claim 1. Thus, the Patent Office is not understood to have yet established a reasonable expectation of success, as required by MPEP § 2142. For this third reason, the Patent Office is not understood to have yet established a prima facie case of obviousness against amended Claim 1 over this art. Accordingly, Applicants respectfully request that the rejection of Claim 1 be withdrawn for this additional reason.

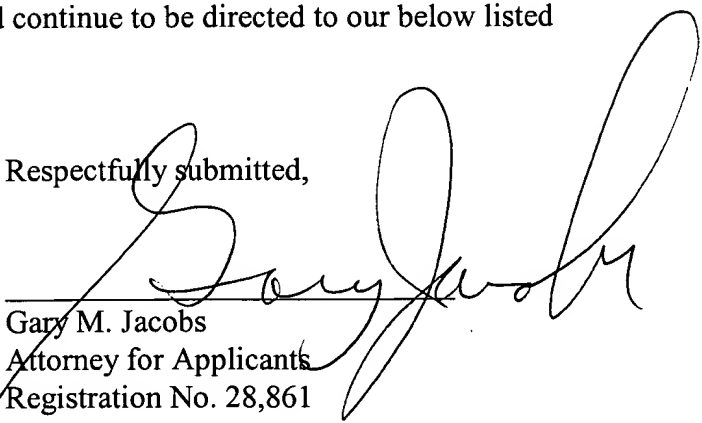
Amended independent Claim 25 is a method claim corresponding to apparatus Claim 1 and has been amended in a similar manner. Therefore, it is allowable for similar reasons.

The dependent claims are allowable for the reasons given for the independent claims and because they recite features that are patentable in their own right. Individual consideration of the dependent claims is respectfully solicited.

In view of the above amendments and remarks, the application is in allowable form and entry of this amendment is considered proper. Therefore, early passage to issue is respectfully solicited.

Applicants' attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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